

02/13/01  
jc685 U.S. PTO

**BOX PATENT APPLICATION**  
Attorney Docket No.: 22789XA-T

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

j1040 U.S. PTO  
09/781427  
02/13/01

In re Application of:

Joseph P. STEINER and Gregory S. HAMILTON

Serial No. Not yet assigned

Filed: February 13, 2001

Title: **PIPECOLIC ACID DERIVATIVE HAIR GROWTH COMPOSITIONS AND  
USES**

(Divisional of U.S. Patent Application No. 09/089,376, filed June 3, 1998, now U.S. Patent No. 6,187,784 *granted February 13, 2001.*)

**TRANSMITTAL LETTER**

The Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Filing Form For Divisional U.S. Patent Application
- (3) Divisional application including:
  - 97 Pages Application Consisting of:
    - 76 Pages of Textual Specification
    - 15 Pages of 20 Claims
    - 1 page Abstract of the Disclosure
    - 5 sheets of drawings
- (4) Preliminary Amendment
- (5) Copy of executed Declaration and Assignments with cover sheets
- (6) Check No. 14243 \$870.00 for filing fee and 2 additional independent claims fee
- (7) Postcard for early notification of serial number.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

By: \_\_\_\_\_

*Gary M. Nath*  
Gary M. Nath  
Registration No. 26,965  
Customer No. 20529

Date: February 13, 2001  
NATH & ASSOCIATES PLLC  
1030 15<sup>th</sup> Street, NW - 6<sup>th</sup> Floor  
Washington, D.C. 20005  
GMN/LCH/lis:DIVappl.trans

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph P. Steiner, et al.

Serial No.: Not yet assigned

Filing Date: February 13, 2001

For: PIPECOLIC ACID DERIVATIVE HAIR GROWTH COMPOSITIONS AND USES

FILING FORM

FOR CONTINUING U.S. PATENT APPLICATION

Commissioner of Patents  
Washington, D.C. 20231

Sir:

1. This is a Request for filing a
- ☐ Continuation Application under:
    - ☐ 37 CFR § 1.53(b)(1)
  - ☒ Divisional Application under:
    - ☒ 37 CFR § 1.53(b)(1)
  - ☐ Continuation-In-Part (CIP) application
    - ☐ 37 CFR § 1.53(b)(2)

of **prior** ("parent") application:

Serial No. 09/089,376, now U.S. Patent No. 6,187,784

Filed: June 3, 1998 *Granted: February 13, 2001*

Entitled: PIPECOLIC ACID DERIVATIVE HAIR GROWTH  
COMPOSITIONS AND USES

2. ☒ \*Enclosed for application under 37 CFR §§ 1.53(b) are:
- 92 pages of text (specification, claims, abstract)
  - 20 claims
  - 5 sheets of drawings

3. The **present** application names the following inventor(s):

Joseph P. STEINER  
Gregory S. HAMILTON

\_\_\_ (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

\_\_\_ Enter the Amendment filed in the prior patent application on \_\_\_\_\_ prior to calculating the filing fee.

XX Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

	(Col 1)		(Col 2)	SMALL ENTITY		OR	NON-SMALL ENTITY	
	NUMBER OF CLAIMS FILED		NUMBER OF EXTRA CLAIMS	RATE	FEE		RATE	FEE
TOTAL	10	minus 20	0	x9=	0		x18=	0
INDEP	5	minus 3	2	x40=	0		x80=	160
BASE FILING FEE:				+355=	0		+710=	710
<u>xx</u> Multiple Dependent Claims				+130=	0		+270=	0
				TOTAL	0	OR TOTAL		870

\_\_\_ Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:  
 \_\_\_ was filed in the parent application, and small entity status is still proper and desired (Rules 60, 62 only);  
 \_\_\_ is filed herewith;  
 \_\_\_ will be filed at a later date.

X A check including the above-indicated filing fee is enclosed.

\_\_\_ A Petition for Extension of Time (to keep the parent case pending) is enclosed, with a check including the \$\_\_\_ extension fee.

\_\_\_ Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.

\_\_\_ No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, together with a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

X The prior application is assigned of record to Guilford Pharmaceuticals, 6611 Tributary Street, Baltimore, Maryland 21224, the Assignment being recorded on July 27, 1998, on Reel 9346, Frame(s) 0926, which in turn assigned the application to GPI NIL Holdings, Inc., 222 Delaware Avenue, Wilmington, Delaware 19899, the Assignment being recorded on July 30, 1998, on Reel 9356, Frame(s) 0247.

\_\_\_ An original executed Declaration is enclosed.

X Amend the specification by inserting before the first line the sentence:

--This application is a divisional application of U.S. patent application Serial No. 09/089,376, filed June 3, 1998, now U.S. Patent No. 6,187,784, the entire contents of which are hereby incorporated in their entirety.--

\_\_\_ Foreign priority under 35 U.S.C. § 119 of \_\_\_\_\_ application(s) \_\_\_\_\_, filed \_\_\_\_\_, is hereby claimed. The certified priority paper(s):  
\_\_\_ was/were filed in the parent case;  
\_\_\_ is/are enclosed herewith;  
\_\_\_ will be submitted at a later date.

x The power of attorney in the prior application is to Gary M. Nath, Reg. No. 26,965, Customer No. 20529

X The power appears in the original papers in the prior application.

x Address all future communications to:

Gary M. Nath  
**NATH & ASSOCIATES PLLC**  
1030 15<sup>th</sup> Street, N.W.- 6<sup>th</sup> Floor  
Washington, D.C. 20005

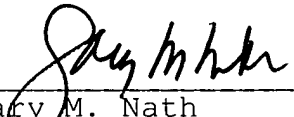
— If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

X The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

Date: February 13, 2001

  
\_\_\_\_\_  
Gary M. Nath  
Reg. No. 26,965  
Customer No. 20529

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